



28 Bridgeside Blvd.  
Mt. Pleasant, SC 29464  
o. 843.216.9000 f. 843.216.9450

**John M. Eubanks**  
Licensed in MD, SC  
direct: 843.216.9218  
jeubanks@motleyrice.com

"I will stand for my client's rights.  
I am a trial lawyer."  
—Ron Motley (1944–2013)

**VIA ECF**

February 14, 2020

The Honorable George B. Daniels  
U.S. District Judge  
United States District Court  
Southern District of New York  
Daniel P. Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

The Honorable Sarah Netburn  
U.S. Magistrate Judge  
United States District Court  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

**Re: *In re Terrorist Attacks on September 11, 2001*  
Case No. 03 MDL 1570 (GBD)(SN)  
*Burnett, et al. v. The Islamic Republic of Iran, et al.*  
Case No. 15 CV 9903 (GBD)(SN);  
*Arias, et al. v. The Islamic Republic of Iran*  
Case No. 19 CV 41 (GBD)(SN)  
*Prior, et al. v. The Islamic Republic of Iran*  
Case No. 19 CV 44 (GBD)(SN)**

Dear Judge Daniels and Magistrate Judge Netburn:

On behalf of the *Burnett*, *Arias*, and *Prior* Plaintiffs who have submitted motions for default judgments against the Islamic Republic of Iran (and others), we want to extend our appreciation for the extensive amount of work and effort expended on these default judgments by the Court over the past three months and beyond. In anticipation of the February 19, 2020 deadline for submission of claims to the U.S. Victims of State Sponsored Terrorism Fund, we write to inquire on the status of the following pending motions for final judgments against Iran.

On February 13, 2020, Magistrate Judge Netburn issued her Report and Recommendation on the *Burnett* Plaintiffs' final motion for default judgment on behalf of personal-injury plaintiffs. See ECF No. 5932. None of the plaintiffs in this Report and Recommendation will be filing any objections, so this Report and Recommendation is ripe for entry of an Order by the Court in accordance with the findings of the Report and Recommendation.



February 14, 2020

Page 2

With regard to the other motions before the Court, some of these motions were filed by the deadline established by the Court while others have been filed at different points since that time.<sup>1</sup> The chart below includes the original motion sequence number, the date of filing, the type of damages sought, and details regarding the proposed judgment (such as ECF number and, when corrections were made, the updated filing date):

ECF No. of Motion	Date Motion Filed	Damages Motion Sought (number of claims filed in each category)	Proposed Judgment Information
5569, <i>et seq.</i> (Arias III)	January 15, 2020	Solatium Damages for Immediate Family Members (3)	Proposed Default Judgment Filed January 15, 2020 (ECF No. 5573)
5563, <i>et seq.</i> (Burnett XVI)	January 15, 2020	Wrongful Death Damages (616)	Proposed Default Judgment Filed January 15, 2020 (ECF No. 5670); Supplemental Proposed Default Judgment for Economic-Loss Damages Filed January 24, 2020 (ECF No. 5730); Supplemental Proposed Default Judgment for Economic-Loss Damages Filed February 4, 2020 (ECF No. 5836); <i>see</i>

<sup>1</sup> Because the Fund only permits applications to be submitted within a certain period of time following the entry of a judgment against a designated state sponsor of terrorism, it has been our firm's policy to submit motions for default judgment only where we have obtained the explicit approval of each plaintiff to file through the completion of an application to the Fund. This is meant to provide some level of explanation as to why additional motions were filed after the January 15, 2020 deadline—to accommodate the filing of motions for individuals who did not return their applications until after the deadlines established by the Court. As noted in the chart, the number of claims filed after the Court-imposed deadline is *de minimis* in relation to the judgments entered previously.



February 14, 2020

Page 3

			<i>also</i> ECF No. 5941, <i>et seq.</i>
5562, <i>et seq.</i> (Burnett XVII)	January 15, 2020	Solatium Damages for Immediate Family Members (15)	Proposed Default Judgment Filed January 15, 2020 (ECF No. 5669); <i>see also</i> ECF Nos. 5878, 5941.
5643, <i>et seq.</i> (Arias IV)	January 15, 2020	Wrongful Death Damages (1)	Supplemental Proposed Default Judgment for Economic-Loss Damages Filed January 24, 2020 (ECF No. 5734)
5721, <i>et seq.</i> (Burnett XVIII)	January 23, 2020	Solatium Damages for Immediate Family Members (18) and Wrongful Death Damages (21)	Proposed Default Judgment Filed January 23, 2020 (ECF No. 5724)
5805, <i>et seq.</i> (Burnett XIX)	January 31, 2020	Solatium Damages for Immediate Family Members (9) and Wrongful Death Damages (10)	Proposed Default Judgment Filed January 31, 2020 (ECF No. 5808)
5809, <i>et seq.</i> (Prior IV)	January 31, 2020	Wrongful Death Damages (1)	Proposed Default Judgment Filed January 31, 2020 (ECF No. 5812)
5816, <i>et seq.</i> (Burnett PI IV)	February 3, 2020	Personal-Injury Damages (3)	Proposed Default Judgment Filed February 3, 2020 (ECF No. 5819); Report and Recommendation Filed February 13, 2020 (ECF No. 5932)
5838, <i>et seq.</i> (Burnett XX)	February 4, 2020	Solatium Damages for Immediate Family Members (1) and	Proposed Default Judgment Filed



February 14, 2020

Page 4

		Wrongful Death Damages (3)	February 4, 2020 (ECF No. 5841)
5882, <i>et seq.</i> (Burnett XXI)	February 7, 2020	Solatium Damages for Immediate Family Members (4) and Wrongful Death Damages (3)	Proposed Default Judgment Filed February 7, 2020 (ECF No. 5885)
5900, <i>et seq.</i> (Burnett XXII)	February 11, 2020	Wrongful Death Damages (1)	Proposed Default Judgment Filed February 11, 2020 (ECF No. 5904)
	<b>TOTALS</b>	Solatium Damages for Immediate Family Members (50); Wrongful Death Damages (656); Personal-Injury Damages (3)	Ten (11) Pending Motions

We are mindful of the Herculean effort that this process has required from the Court and its staff, and we are hopeful that the Court may be able to address all of these pending motions in advance of the February 19, 2020 filing deadline for the U.S. Victims of State Sponsored Terrorism Fund. We submit this letter because we must process with obtaining Farsi translations of any final judgments and commence service prior to February 19, 2020 for our clients to be eligible to participate in the next distribution by the U.S. Victims of State Sponsored Terrorism Fund.

If the Court has any questions regarding any of the pending motions or supplemental motions identified above, I can be reached directly at either (843)216-9218 or (843)834-1076 and will provide a response as soon as practicable upon request.

Respectfully submitted,

John M. Eubanks